

BEFORE THE INSURANCE COMMISSIONER  
FOR THE STATE OF ARKANSAS

ARKANSAS INSURANCE DEPARTMENT )  
PETITIONER )

VS. )

DEVONTE HAMILTON )  
RESPONDENT )  
NPN 18381200 )

A.I.D. NO. 2021- 36

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REVOCATION ORDER

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On this day, the matter of the producer's license of Devonte Hamilton ("Respondent") came before Alan McClain, Arkansas Insurance Commissioner ("Commissioner"). A hearing was held on June 10, 2021, in the Second Floor Hearing Room of the Arkansas Insurance Department ("Department") pursuant to the Notice of Hearing dated May 4, 2021. The hearing was held before Russ Galbraith, Chief Deputy Commissioner, with the Arkansas Insurance Department ("Hearing Officer") pursuant to his appointment by the Commissioner in accordance with Ark. Code Ann. § 23-61-103(e)(1). The Department was represented by Gray Allen Turner, Associate Counsel. The Respondent did not appear.

FINDINGS OF FACT

1. Respondent is a resident of Texarkana, Arkansas.
2. Respondent holds an Arkansas resident producer license, NPN 18381200.
3. In November of 2020, the Arkansas Insurance Department, Criminal Investigation Division, received a suspected fraud report from America Financial concerning Respondent Devonte Hamilton. In the fraud report, Americo stated Devonte Hamilton had submitted numerous fictitious or forged life insurance applications.

4. The Department's Criminal Investigation Division Investigator Jacquie Harper attempted to make contact with the persons the Respondent used in the fraudulent applications. Inv. Harper confirmed that several of the applications, including many using the Respondent's mother's name, were submitted without the named insureds' authority or permission.

5. Inv. Harper interviewed the Respondent. After informing the Respondent of his Miranda rights, the Respondent told Inv. Harper that he had submitted fabricated insurance applications to Americo.

6. The Respondent was paid commissions after the fraudulent applications were submitted. Americo paid the Respondent at least \$25,000 in commissions for 47 applications that were later determined to be forged or fabricated.

7. The Department sent a notice of this hearing to the Respondent on May 4, 2021, by regular and certified mail to his last known address.

## CONCLUSIONS OF LAW

From the Findings of Fact contained herein, the Commissioner concludes as follows:

1. The Commissioner of Insurance has jurisdiction pursuant to the Arkansas Insurance Code, specifically Ark. Code Ann. §§ 23-61-101, et seq.

2. Under the provisions of Ark. Code Ann. § 23-64-512(a)(8), an insurance producer may not use fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, lack of good personal or business reputation, or financial irresponsibility. Respondent's actions were a violation of § 23-64-512(a)(8).


3. Respondent submitted 47 fraudulent insurance policies representing

12 individuals. Respondent's actions were a violation of § 23-64-512(a)(10) forbidding an insurance producer from "[f]orging another's name to an application for insurance or to any document related to an insurance transaction."

### RECOMMENDATION OF HEARING OFFICER

WHEREFORE, upon consideration of the evidence of record and the foregoing Findings of Fact and Conclusions of Law, the Hearing officer recommends the following:

That the Arkansas resident insurance producer license of the Respondent be revoked.

  
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Russ Galbraith  
Hearing Officer

### CERTIFICATION

I, Alan McClain, Insurance Commissioner for the State of Arkansas, do hereby certify that the above Findings of Fact, Conclusions of Law, and Recommendation of the Hearing Officer were made by and under my authority and supervision by Russ Galbraith, Hearing Officer in this proceeding. I hereby adopt the Hearing Officer's Findings of Fact, Conclusions of Law and Recommendation in full, as set forth herein.

THEREFORE, it is hereby ORDERED that the Arkansas producer license of Devonte Hamilton, NPN 18381200, is revoked.

IT IS SO ORDERED THIS 8<sup>th</sup> DAY OF JULY, 2021.

  
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ALAN MCCLAIN  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS